

REMARKS/ARGUMENTS

Applicant has added new claims 20 through 38. Applicant has also canceled claims 1 through 19. Claim 20 is the generic and independent claim. All other claims, claims 21 through 38 are dependent claims that include all the limitation of the generic claim, claim 20.

Examiner had identified 9 species of the claimed invention:

- Species I, shown in Figures 1-2;
- Species II, shown in Figures 3-4;
- Species III, shown in Figure 7;
- Species IV, shown in Figure 8;
- Species V, shown in Figure 9;
- Species VI, recited in claim 15;
- Species VII, recited in claim 16;
- Species VIII, recited in claim 18; and
- Species IX, recited in claim 19.

Applicant provisionally elects Species I, shown in Figures 1-2 with traverse.

In all the Species identified by the examiner, the retractable packaging comprises an elongated hollow tube housing that can be compressed and elongated axially and an elongated member disposed within said elongated hollow tube housing wherein the elongated hollow tube housing encloses the elongated member and when the elongated hollow tube housing is retracted by compressing the elongated hollow tube housing axially, one end of the elongated member is exposed. Claim 20 is the generic claim that defines applicant's invention. Claims 21 through 38

Application No.: 10/621,878
Amendment dated: May 20, 2005
Reply to Office Action of: April 22, 2005

are different embodiments of the same invention claimed in claim 20 and are all dependent claims that include all the limitation of the generic claim, claim 20.

Applicant respectfully requests that the restriction requirement be reconsidered and withdrawn and a timely Notice of Allowance be issued in this case.

Respectfully submitted,

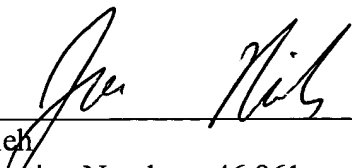
A handwritten signature in black ink, appearing to read "Joe Nieh", written over a horizontal line.

Joe Nieh
Registration Number: 46,961
18760 E. Amar Road, #204
Walnut, CA 91789
Tel: (626) 964-4227
Fax: (626) 854-5717
E-Mail: nieh@justice.com

Application No.: 10/621,878
Amendment dated: May 20, 2005
Reply to Office Action of: April 22, 2005

Certificate of Mailing: I certify that on the date below this document and referenced attachments, if any, will be deposited with the U.S. Postal Service by 1st Class Mail in an envelope addressed to: "Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450."

May 20, 2005



Joe Nieh
Registration Number: 46,961
18760 E. Amar Road, #204
Walnut, CA 91789
Tel: (626) 964-4227
Fax: (626) 854-5717
E-Mail: nieh@justice.com